On the issue of FERA, Sir, there may have been cases of FERA registered in the past when FERA was applicable; maybe some cases here reflecting an earlier action which may have been contemplated under FERA. But your point is again well taken. Now, there is FEMA instead of FERA. So, in future, I hope, there will be no such cases. Your concern that there may be such cases, I only pray to God that there should not be any more FEMA cases in future.

Post closure adjustment on sale of PSUs

*303 SHRI DIPANKAR MUKHERJEE: Will the Minister of FINANCE be pleased to refer to answer to Unstarred Question 1616 given in the Rajya Sabha on the 16th March, 2003 and state the details of post closure adjustments, made in the case of BALCO, Paradeep Phosphates, HTL, Jessop, ITDC Hotels, Airport Hotels, IPCL, VSNL and other cases of strategic sale of PSUs?

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): A Statement is laid on the Table of the House.

Statement

Post disinvestment matters are handled by the concerned administrative ministries/departments. Details of post closure adjustment in individual cases of disinvestment through strategic sale are given below.

Bharat Aluminium Company Ltd. (BALCO): The post closure adjustment is under consideration of the Ministry of Mines.

Paradeep Phosphates Ltd. (PPL): The post closure adjustment is under consideration of the Department of Fertilizers.

HTL Ltd.: The post closure adjustment is being dealt by the Department of Telecommunications. In accordance with the provisions of the Shareholders' Agreement, the strategic partner invoked the arbitration clause and the matter is already before an Arbitral Panel.

India Tourism Development Corporation Ltd. (ITDC): A statement indicating the position of post closure adjustment in 19 disinvested hotels of ITDC is at Statement I (See below).

Hotel Corporation of India Ltd. (HCI): Post closure adjustment has been completed in respect of Indo Hokke Hotels Limited, a subsidiary

of HCI. The purchaser has been paid an amount of Rs. 4.33 lakh in settlement of the preferred claim. In the case of Centaur Hotel Airport, Mumbai, the matter is under arbitration. In the case of Centaur Hotel Juhu Beach, Mumbai, the post closure adjustments have not been concluded. The parties have mutually agreed to refer the matter to the Ministry of Civil Aviation for adjudication.

Modern Food Industries (India) Ltd. (MFIL): The post closure auditors determined an amount of Rs. 23.62 crore as the decrease in net current assets between the reference date and the closing date. Based on this, M/s Hindustan Lever Ltd (HLL) claimed Rs. 17.48 crore (74 percent of Rs. 23.62 crore) towards post closure adjustment. After scrutiny of the claim, Rs. 12.64 crore has been paid to HLL. However, HLL still claims Rs. 4.43 crore under post closure adjustment, which is under examination of the Ministry of Food Processing Industries.

No provision for post closure adjustment exists in the disinvestment cases of Lagan Jute Machinery Company Ltd, CMC Ltd., IBP Ltd., Videsh Sanchar Nigam Ltd, Hindustan Zinc Ltd, Indian Petrochemical Corporation Ltd, Maruti Udyog Ltd and Jessop & Company Ltd.

Statement-I

Details of post closure adjustments in respect of ITDC hotels

SI.No.	Name of Hotel	Amount of claim preferred (in Rupees)	Amount of claim admitted and released (in Rupees)
1	2	3	4
	ITDC Hotels		
1.	Hotel Bodhgaya Ashok	85,27,416.16	46,19,593/-
2.	Hotel Hassan Ashok	65,70,661.68	24,59,944/-
3.	Hotel Madurai Ashok	88,32,704.00	39,78,892/-
4.	TBABR, Mamallapuram	1,05,78,718.77	49,86,640/-
5.	Hotel Agra Ashok	1,81,68,183.93	87,47,725/-
6.	Laxmi Vilas Palace Hotel, Udaipur	1,78,00,163,00	1,08,07,868/-
7.	Qutab Hotel, New Delhi	4,69,47,597.12	3,09,54,080/-
8.	Lodhi Hotel, New Delhi	3,67,55,782.72	2,87,94,622/-
9.	Hotel Airport Ashok, Kolkata	7,47,50,129.96	4,89,24,848/-
10.	Kovalam Ashok Beach Resort	3,75,17,768.58	2,36,39,576/-
11.	Hotel Manali Ashok	8,33,308.96	3,94,874/-
12.	Hotel Khajuraho Ashok	85,65,305.84	4,95,448/-

1	2	3	4
13.	Hotel Varanasi Ashok	3,00.19,402.72	1,52,43,715/-
14.	Hotel Aurangabad Ashok	2,11,36,928.39	65,07,575/-
15.	Hotel Ranjit, New Delhi	3,13,74,226.85	1,19,45,307/-
16.	Hotel Kanishka, New Delhi	8,67,21,255.03	4,51,11,608/-
17.	Hotel Indraprastha, New Delhi	3,88,90,862.00	61,57,966/-
1.8.	Chandigarh Project	NIL	NIL
19.	Hotel Ashok Bangalore	6,74,84,722.00	4,98.11,483/-

SHRI DIPANKAR MUKHERJEE; Sir, first, I apologise to the hon. Minister for the question, which, as he says, is meant for those Ministries concerned. As a matter of fact, this question is regarding post closure adjustment of those PSUs, which were sold. After disinvestment, some post closure adjustments were made. That question I had put one-and-a-half years back. At that time, the Ministry of Disinvestment had replied to that quesiton without referring to this part that these post closure adjustments would be made by the nodal Ministries.

I would like to know from the hon. Minister first whether there is any change in its functioning. While in the earlier case, the Ministry of Disinvestment even did not refer to any other Ministries while giving the figures, now so far as finalisation is concerned, it has become a subject for discussion with the only concerned Ministries.

SHRI P. CHIDAMBARAM: Sir, if I understand the supplementary right, the hon. Member wishes to know whether there is any change in the policy of providing for post closure adjustment. The last post closure adjustment clause was in 2002-03. Jessop, which was disinvested in the later part of that year, did not have such a clause, and no case after that has a post closure adjustment clause.

SHRI DIPANKAR MUKHERJEE: Sir, there was another issue not only of Jessop, but also of Paradeep Phosphates, which was raised here in this House. There were some sweeping sort of charges that the post closure claim by the company exceeded the actual cost of selling the company, which was Rs. 151 crores and odd, and the post closure claim was above more or less the same amount. There was a very heated debate in this House, and the issue was raised by the people, who are now sitting on the ruling Benches. Now, I find after 2-3 years BALCO was sold in 2001; Paradeep Phosphates in 2002...*(Interruptions)*...

MR. CHAIRMAN: What do you want to know from the Finance Minister?

SHRI DIPANKAR MUKHERJEE: How long will we have to wait to see the finalisation of these post closure adjustments?

SHRI P. CHIDAMBARAM: Sir, as I said, there were some pending cases ofjpost closure adjustment arising out of clauses in the sale and purchase agreement made at that time, 2002-03 and earlier. In the case of Paradeep Phosphates, yes, the hon. Member is right. The post closure adjustment claim is a very large amount. The case has been'referred to M/s KPMG for a full audit. The report has not yet been received. The Government in the Department concerned is disputing the claim. It is only after the full audit report is received, I would be able to apply my mind to the claim.

DR. T. SUBBARAMI REDDY: Sir, I would like to get the details of post-closure adjsutment in respect of ITDC hotels from the hon. Minister. At serial no. 16, Hotel Kanishka expected eight crores and sixty-seven lakh and odd rupees,; but actually, the amount of claim admitted and released was half amount only, four crore and fifty-one lakhs and odd. Why there is so much difference between the amount of claim preferred and the amount of claim admitted and released?

SHRI P. CHIDAMBARAM: Sir, the hon. Member should be happy that we have not admitted a larger claim. This is a claim made by the purchaser against the Government. He claimed, by way of post-closure adjustments, eight crore and sixty-seven lakhs and odd rupees, and the claim that has been admitted is only four crore and fifty-one lakhs and odd rupees. In fact, the complaint should be...*(Interruptions)*...

DR. T. SUBBARAMI REDDY: No, I am happy, but what are the reasons?

SHRI P. CHIDAMBARAM: If I go into each case, Sir, I would have to give a longish answer about each head of claim. I would send to him in writing each head of claim and admitted claims. It's a longish answer.

बीमा कंपनियों द्वारा चिकित्सा दावों (मेडीक्लेम) का भुगतान न किया जाना

304. श्री कलराज मिश्र : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को स्वास्थ्य से जुडी बीमा कंपनियों द्वारा चिकित्सा दावों (मेडीक्लेम) के भुगतान न किये जाने के संबंध में शिकायतें प्राप्त हुई हैं ;

(ख) यदि हां तो सरकार द्वारा इस संबंध में क्य कदम उठाए जा रहे हैं ; और

(ग) क्या कुछ कंपनियों ने इसमें सुधार के लिए कुछ सुझाव दिए हैं ?

वित्त मंत्री (श्री पी. चिदम्बरम) : (क) से (ग) एक विवरण सभा पटल पर रख दिया गया है ।

विवरण

(क) जी, हां । साधारण बीमा कंपनियों द्वारा चिकित्सा दावों का भुगतान न करने के संबंध में सरकार को शिकायते प्राप्त हुई हैं ।

(ख) और (ग) बीमा विनियामक और विकास प्राधिकरण (आई आरडीए) को एक स्वतंत्र नियामाक (रेग्यूलेटर) के रूप में स्थापित किया गया है । अन्य बातों के साथ-साथ, इसके उद्देश्यों में यह पालिसीधारकों के हितों की रक्षा करना है । आई आरडीए ने बीमा और विकास प्राधिकरण (पालिसी धारकों के हितों की रक्षा) विनियमन, 2002 को अधिसूचित किया है । ये विनियम बीमाकर्ताओं और पालिसीधारकों से संबंधित बिक्री और दावे दोनों के समय बीमा संविदा से संबंधित कर्तव्यों और दायित्वों को निर्धारित करते है और बीमा कंपनियों में इन हाऊस शिकायत निवारण स्थापित किए गए हैं । इन विनियमों के अनुसरण में, कंपनियों ने अपने इन-हाऊस शिकायत निवारण तंत्र स्थापित किए हैं, जिन्हें उनके द्वारा प्राप्त प्रतिपुष्टि (फिड-बैक) के आधार पर सुधारा जाता है । इसके अलावा, दावों के निपटान से संबंधित शिकायतों के लिए, पालिसी धारक सरकार, बीमा ओम्बड्समैन, आईरडीए शिकायत कक्ष, उपभोक्ता मंच और न्यायालयों तक भी अपनी पहुंच बनाते हैं । सरकार इस प्रकार की प्राप्त शिकायतों को निवारण के लिए बीमा कंपनियों/ओम्बड्समैन के पास भेजती है ।

Non-payment of mediclaim by insurance companies

†*304. SHRI KALRAJ MISHRA: Will the Minister of FINANCE be pleased to state:

(a) whether Government have received complaints regarding non-payment of mediclaim by the health insurance companies;

†Original notice of the question was received in Hindi.